

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

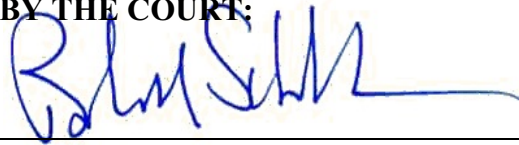
<b>LIONEL FRANKS,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>TEMPLE UNIVERSITY, et al.,</b>	:	<b>No. 11-879</b>
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this **25<sup>th</sup>** day of **April, 2011**, upon consideration of Defendant Temple University's Motion to Dismiss, Plaintiff's response thereto, and for the reasons stated in this Court's Memorandum dated April 25, 2011, it is hereby **ORDERED** that:

1. Defendant's Motion (Document No. 10) is **GRANTED**.
2. Count II of the Complaint, asserting a vicarious liability claim against Temple University, is **DISMISSED**.
3. Temple University is **DISMISSED** as a party to this action.

**BY THE COURT:**



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**Berle M. Schiller, J.**